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EXTRAORDINARY

PART I—Section 1

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MINISTRY OF COMMERCE AND INDUSTRY PUBLIC NOTICES

IMPORT TRADE CONTROL

New Delhi, the 19th November 1958

SUBJECT.—*Import of machinery under U.S. Export-Import Bank Programme.*

No. 95-ITC(PN)/58.—Attention of the importers is invited to para 5(e) of Ministry of Commerce and Industry Public Notice No 27-ITC(PN)/58 dated 18th April, 1958, and to para 2(c) of Public Notice No 28-ITC(PN)/58 dated 18th April, 1958, according to which the licensees are required to supply to the licensing authority concerned certain declarations in Exhibits enclosed therewith. The Exhibits A to D have now been revised and the revised Exhibits (A to D) are annexed to this Public Notice for the information of the Trade.

EXHIBIT—A.

Supplier's Certificate

(Insurance or reinsurance underwriter)

Export-Import Bank of Washington,

Washington 25, D C

Re: (Borrower)

(Identify contract by names
of parties, number and date).

Dear Sirs,

We have written the contract identified above and we understand that the premiums thereon may be financed (including reimbursement) in whole or in part through a credit established by the Export-Import Bank of Washington, an agency of the United States of America.

We hereby certify that except for a standard broker's commission of not more than _____% of the amount of said premiums, we have not granted or paid, agreed to grant or pay, or caused to be granted or paid to the insured or to any other person or entity (except our regular full-time directors, officers and employees to the extent of their regular remuneration) any discount, allowance, rebate, commission, fee or other payment in connection with the sale, or for obtaining the sale, of the insurance provided by said contract.

Name and address of underwriter

By _____

Title _____

EXHIBIT—B.

Supplier's Certificate.

(Insurance Broker)

Export-Import Bank of Washington,

Washington 25, D.C.

Re: (Borrower)

(Identify contract by names
of parties, number and date).

Dear Sirs,

We have assisted in placing the contract identified above and we understand that the premiums thereon may be financed (including reimbursement) in whole or in part through a credit established by the Export-Import Bank of Washington, an agency of the United States of America.

We hereby certify that except for a standard broker's commission of not more than _____% of the amount of said premiums, we have not accepted, agreed to accept or caused to be accepted from any person or other entity and have not granted or paid, agreed to grant or pay, or caused to be granted or paid to the insured or to any other person or entity (except our regular full-time directors, officers and employees to the extent of their regular remuneration) any discount, allowance, rebate, commission, fee or other payment in connection with the sale, or for obtaining the sale, of the insurance provided by said contract.

Name and address of forwarder

By _____

Title _____

EXHIBIT—C.

Supplier's Certificate.

(Freight forwarder)

Export-Import Bank of Washington,

Washington 25, D.C.

Re: (Borrower)

Dear Sirs,

We understand that the services covered by our invoices described as follows:—

<i>Number</i>	<i>Date</i>	<i>Addressee</i>	<i>Amount</i>
may be financed (including reimbursement) in whole or in part through a credit established by the Export-Import Bank of Washington, an agency of the United States of America.			

We hereby certify that except for the discounts and allowances, if any, stated in said invoices, we have not granted or paid, agreed to grant or pay, or caused to be granted or paid to the addressee of any of said invoices or to any other person or entity (except our regular full-time directors, officers and employees to the extent of their regular remuneration) any discount, allowances, rebate, commission, fee or other payment in connection with the sales of, or for obtaining the contracts to sell, the services covered by said invoices, except as follows (if none, please so state):

*Payee or intended payee**Address*

If so requested by you, we will promptly furnish to you a statement describing the services performed by each of the foregoing payees or intended payees and setting out the amount received or to be received by each.

Name and address of broker

By _____

Title _____

EXHIBIT—D.

Supplier's Certificate.

(Goods and services except insurance and freight forwarding).

Export-Import Bank of Washington

Washington 25, D.C.

Re: (Borrower)

Dear Sirs,

We understand that the equipment, materials and services covered by our invoices described as follows:

Number	Date	Addressee	Amount
may be financed (including reimbursement) in whole or in part through a credit established by the Export-Import Bank of Washington, an agency of the United States of America.			

We hereby certify that the equipment and materials covered by said invoices are of United States manufacture or origin.

We hereby further certify that except for the discounts and allowances, if any, stated in said invoices, we have not granted or paid, agreed to grant or pay, or caused to be granted or paid to the addressee of any of said invoices or to any other person or entity (except our regular full-time directors, officers and employees to the extent of their regular remuneration) any discount, allowance, rebate, commission, fee or other payment in connection with the sales of, or for obtaining the contracts to sell, the equipment, materials and services covered by said invoices, except as follows (if none, please so state):

Payee or intended payee

Address

If so requested by you, we will promptly furnish to you a statement describing the services performed by each of the foregoing payees or intended payees and setting out the amount received or to be received by each.

Name and address of supplier

By_____

Title_____

SUBJECT:—*Licensing of Machine tools falling under Part VI of the I.T.C. Schedule to established importers during the period October '58—March, 1959.*

No. 96-ITC(PN)/58.—Attention of the importers is invited to the import policy for Machine Tools as announced in Appendix XI to the current Red Book. It will be seen from paragraph 3 therein that licences for the permissible types of Machine Tools were to be granted to established importers on an *ad-hoc* basis. In modification of this policy, it has now been decided that licences for permissible types of Machine Tools to established importers during the current half year will be granted on the basis of a quota of 40% Gen. and 40% Soft.

2. Quota licences granted to established importers during the current half year will be valid for import of complete machine tools only to the extent of 92% of their face value. The balance 8% should be utilised for import of such spares as may be specifically authorised by the Development Officer (Tools). No additional licences for import of spares as announced in paragraph 3 of Appendix XI to the current Red Book will be granted.

3. The last date for submission of all applications for import of Machine Tools was announced as 31-12-1958. It has now been decided to extend this last date upto and including the 15th January, 1959 for submission of applications by established importers. The last date for submission of applications i.e. 31-12-1958 by actual users will remain unaltered.

SUBJECT :—*Import policy for October, '58—March, '59.*

No. 97-ITC (PN)/58.—Reference is invited to this Ministry's Public Notice No. 86-ITC (PN)/58 dated 31-10-1958 under which the import policy for the period October, 1958—March

1959 has been announced and incorporated in the current Red Book. The following amendments shall be made in the Red Book in appropriate places : -

Page No. of the Red Book	Reference	Details of corrections
I	2	3
(ii)	Contents—Under the heading Appendices (Section III)—Appendix XIII.	For “Open General Licences Nos. IV and LIV” Read “Open General Licences Nos. IV and LIV”. In the last sentence
18.	Para 56, Section I.	For “Chief Controller of Imports and Exports” Read “Chief Controller of Imports and Exports, New Delhi, J.C.C.I., Bombay/Calcutta”.
39.	S. No. 25(b)/I, column 3.	In column 3, insert the word ‘Cal’
43.	S. No. 43-A/I, column 6	The first two lines of the remark against S. No. 43-A/I may be read as follows :— “Actual User applications from Scheduled Industries only will be”
45.	S. No. 46(b)/I, column 6.	“(iv)” appearing under column 6 against S. No. 46 (b)/I may be deleted.
55.	S. No. 19(1) (i)/II, remark (g), line 4.	In line 4, For L87, 88, 89 Read LS7, S8, S9.
91.	S. No. 34(d)/II, column 3	Delete “Nil” in column 3 and Insert “Nil” in column 4.
120.	S. No. 4(3)/III, column 6	In line 2, For “(1)” Read “4(1)”.
125.	S. No. 5(1) (p)/III, column 3	Insert “Bom”. under column 3.
133.	S. No. 37/IV, column 3.	For “ports” Read “Cal.”
171.	S. No. 226(d)/IV, column 3	Insert the word “Ports” under column 3.
180.	S. No. 278/IV, column 6.	Under column 6, item (iv) —‘Hair clippers’ may be deemed to have been deleted.
184.	S. No. 288(b)/IV, column 4	For “12·1/3%” Read “12·1/2%”
200.	S. No. 325(c) (vii)/IV, column 2	The third word in the first line may be read as “cricket”.
235.	S. No. 65(1—4) (vi)/V, column 1	Insert “(vi)” in column 1 before the description “Sugar manufacturing and refinery machinery”.
271.	S. No. 101-C/V, column 3	Under column 3, insert the word “ports”.
498.	Appendix XL, para 10	In line 3, under column 2, the word “or” appearing between “Rs.” and “1000/-” may be deleted.

SUBJECT:—Import of 'Cinematograph films, not exposed' (S. No. 116/IV) under the Export Promotion Scheme during October, 1958—March, 1959.

No. 98-ITC(PN)/58.—Attention of importers is invited to Appendix XXIII to the Red Book for October, 1958—March, 1959 which details the provisions for import of articles under the Export Promotion Scheme.

2. In supersession of the previous instructions on the subject, it has been decided to permit import of 'Cinematograph films, not exposed' under the Export Promotion Scheme as embodied in Appendix XXIII to the current Red Book. Broadly, the licences under the Export Promotion Scheme will be granted on the following basis:—

The individual exporters will be allowed to import 'Cinematograph films, not exposed' against their prospective export earnings and not on the basis of their past performance, provided that;

- (i) they are established exporters and have past performance to their credit;
- (ii) they give an undertaking to the licensing authority concerned at the time of making an application in the form annexed;
- (iii) at the time of clearance of goods through the Customs they give a bond in the prescribed form and manner to the licensing authority concerned;
- (iv) the undertaking and also the bond would be given separately in each case;
- (v) the undertaking for export would be in the proportion of 1:4. If any individual exporter is in a position to earn more foreign exchange than the proportion of 1:4, an additional import of 'Cinematograph films, not exposed' will be permitted to him on an *ad hoc* basis on the extra foreign exchange earned by him.

3. If any individual producer enters into a contract with a foreign company for producing a film or for exhibition abroad of a film produced by him or one which is under production and is prepared to establish his contract through irrevocable documents, his case can be considered for the issue of raw films for producing the picture or for taking copies thereof, on his giving a bank guarantee to the licensing authority concerned to the extent of $\frac{1}{4}$ th of the foreign exchange earnings or to the extent of the value of raw film licensed, whichever is higher, irrespective of the fact whether such a producer has past export performance to his credit or not.

4. The intending importers of 'Cinematograph films, not exposed' under the Export Promotion Scheme should submit their applications in the usual form and manner to the licensing authority concerned.

ANNEXURE TO PUBLIC NOTICE No 98-ITC(PN)/58 DATED 19.11.58

In consideration of permitting importation of positive Cinematograph films, not exposed against import licence to be issued by the Licensing authority.....

I/We (Name in Block Letters).....

Address.....

hereby undertake to earn foreign exchange in the ratio of 1:4 on the basis of C.I.F. value of the said import licence by way of exporting prints of Indian motion pictures (films) to foreign countries excluding Nepal, Tibet and Portuguese Possessions in India. The raw film so imported against the licence will be used entirely for taking out prints of Indian Motion Pictures (films) for purposes of export.

I/We.....

Address..... hereby undertake to produce documentary evidence before the licensing authority concerned in proof of having earned foreign exchange in the ratio mentioned above within one year from the date of importation of Cinematograph films (not exposed) falling which I/We the said..... undertake to pay the amount of the bond as penalty to the Government of India. I/We the said..... will render myself/ourselves liable to action under the Imports and Exports (Control) Act, 1947 and the Imports (Control) Order, 1955.

2. After the raw stock is imported, I/We undertake to obtain release order from the Joint Chief Controller of Imports and Exports concerned.

Signature

Address

Date

SUBJECT:—*Priorities for release of Raw films to the film industry.*

No. 99 ITC(PN)/58.—It is notified for the information of those concerned that the following relative priorities will be adopted by the licensing authorities for release of raw films to the film industry:—

- (1) Pictures started before 7th June, 1957 which had been in progress and are in advanced stage of production. This would apply only to established regular producers.
- (2) *Regular Producers*—
 - (a) Producers who have past export performance to their credit.
 - (b) Studio owner producers who have been continuously producing pictures for three years immediately preceding 7th June, 1957.
 - (c) Producers who have produced three or more full length feature films in the three years preceding 7th June, 1957.
 - (d) Producers who have been continuously in production for three years preceding 7th June, 1957 and who had completed two pictures during this period or had completed one picture and had another under production on 7th June, 1957.
- (3) Producers who have past record of at least one picture censored between 1952 and 7th June, 1957.
- (4) Producers without past record but who had started their picture before 7th June, 1957.
- (5) Studio owners without past record.
- (6) Producers without past record but who have started their pictures after 7th June, 1957.
- (7) Partners and directors of firms and companies which have past record but which are now inactive.
- (8) New-comers.
- (9) Special cases will be considered on merits on an *ad hoc* basis.

2. Decisions taken by the Port Licensing authorities regarding release of raw film will be displayed on the Notice Board of the Port Import Trade Control Office concerned indicating the priorities against each for the information of the public

S. N. BILGRAMI, Jt. Secy.